

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 09, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BOBBY W.,

Plaintiff,

-vs-

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.

No. 4:23-CV-5036-JAG

ORDER

BEFORE THE COURT is the parties' Stipulated Motion to Remand. ECF No. 9. The parties' Stipulated Motion for Remand, **ECF No. 9**, is **GRANTED**. Based on the stipulation of the parties, it is **ORDERED** that the Commissioner's decision in regard to Plaintiff's application for disability benefits under Titles II and XVI of the Social Security Act be **REVERSED** and **REMANDED** to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g).

Upon remand, the ALJ shall take action to complete the administrative record, offer the claimant the opportunity for a hearing, and issue a new decision. The ALJ shall discuss the supportability and consistency of the opinion from Stephen Rubin, Ph.D. The ALJ shall also, as necessary, reconsider the claimant's impairments at steps two and three, the claimant's subjective statements, the

1 nonmedical evidence, the medical opinion evidence, the claimant's residual
2 functional capacity, and the claimant's ability to work at steps four and five.

3 **IT IS SO ORDERED.** The District Court Executive is directed to file this
4 Order, provide copies to counsel, enter a judgment in favor of Plaintiff and
5 **CLOSE** this file.

6 DATED August 9, 2023.



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JAMES A. GOETKE
UNITED STATES MAGISTRATE JUDGE